

-52-

COMBINED DECLARATION AND  
POWER OF ATTORNEY  
IN ORIGINAL APPLICATION

Attorney Docket No.

S13.12-0019

## SPECIFICATION AND INVENTORSHIP IDENTIFICATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled DISTAL PROTECTION DEVICE AND METHOD the specification of which,(check one) ☐ is attached hereto.☒ was filed on October 3, 1997 as Appln. Serial No. 08/943,358.☐ and was amended on .☐ was described and claimed in PCT International Application No. filed on and as amended under PCT Article 19 on .

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

## PRIORITY CLAIM (35 USC § 119)

I claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes _____ No _____
_____	_____	_____	Yes _____ No _____

## PRIORITY CLAIM (35 USC § 120)

I claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code § 112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in Title 37 Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

-53-

Appln. Ser. No.	U.S. Serial No. (if any under PCT)	Filing Date	Status
<u>08/810,825</u>	<u>                    </u>	<u>March 6, 1997</u>	<u>Pending</u>
<u>08/813,794</u>	<u>                    </u>	<u>March 6, 1997</u>	<u>Pending</u>

## DECLARATION

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## POWER OF ATTORNEY

I appoint the following attorneys and agents to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation: Judson K. Champlin, Reg. No. 34,797; Joseph R. Kelly, Reg. No. 34,847; Nickolas E. Westman, Reg. No. 20,147; Steven M. Koehler, Reg. No. 36,188; David D. Brush, Reg. No. 34,557; John D. Veldhuis-Kroeze, Reg. No. 38,354; Deirdre Megley Kvale, Reg. No. 35,612; Theodore M. Magee, Reg. No. 39,758; Robert E. Atkinson, Reg. No. 36,433; Luke R. Dohmen, Reg. No. 36,783; Peter J. Gafner, Reg. No. 36,517; and John A. Rissman, Reg. No. 33,764.

I ratify all prior actions taken by Westman, Champlin & Kelly, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

## DESIGNATION OF CORRESPONDENCE ADDRESS

Please address all correspondence and telephone calls to Joseph R. Kelly in care of:

WESTMAN, CHAMPLIN & KELLY, P.A.  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

Inventor:

(Signature)

Date:

March 10, 1998

Inventor:

John M.K. Daniel  
(Printed Name)

Residence:

Hopkins, Minnesota

Citizenship:

U.S.A.

P.O. Address:

701 Oak Park Lane, #61, Hopkins, Minnesota 55343

-54-

Inventor:   
(Signature)

Date: 3/10/98

Inventor: Thomas E. Broome  
(Printed Name)

Residence: Hopkins, Minnesota Citizenship: U.S.A.

P.O. Address: 511 Sunnyside Lane, Hopkins, MN 55343

Inventor:   
(Signature)

Date: 3/10/98

Inventor: David J. Holcan  
(Printed Name)

Residence: Rogers, Minnesota Citizenship: U.S.A.

P.O. Address: 5175 Nalmark Avenue, Rogers, Minnesota 55374

Inventor:   
(Signature)

Date: 3/10/98

Inventor: Robert L. Cassell  
(Printed Name)

Residence: Orsego, Minnesota Citizenship: U.S.A.

P.O. Address: 14398 - 91st Street NE, Orsego, Minnesota 55330

Inventor:   
(Signature)

Date: 3/12/98

Inventor: Daniel O. Adams  
(Printed Name)

Residence: Orono, Minnesota Citizenship: U.S.A.

P.O. Address: 1145 - Tonkawa Road South, Orono, Minnesota 55356

PTO/SB/86 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## STATEMENT UNDER 37 CFR 3.73(b)

RECEIVED  
CENTRAL FAX CENTERApplicant/Patent Owner: John M.K. Daniel et alApplication No./Patent No.: 6001118 Filed/Issue Date: December 14, 1999

FEB 10 2006

Entitled: DISTAL PROTECTION DEVICE AND METHODSCIMED LIFE SYSTEMS INCa Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1 ☒ the assignee of the entire right, title, and interest, or
- 2 ☐ an assignee of less than the entire right, title and interest  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9053, Frame 0830, or for which a copy thereof is attached

OR

- B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

1 From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

2 From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies or assignments or other documents in the chain of title are attached  
[NOTE. A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose name is supplied below) is authorized to act on behalf of the assignee

  
Signature

December 21, 2005  
Date

Glenn M. Seager  
Printed or Typed Name

612-677-8050  
Telephone Number

Attorney for Applicants  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

PTO/SB/81 (09-04)

Approved for use through 11/30/2005 OMB 0651-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	NEW APPLICATION
Filing Date	December 21, 2005
First Named Inventor	John M.K. Daniel
Title	Distal Protection Device and Method
Art Unit	3731
Examiner Name	Nguyen, Vi X
Attorney Docket Number	1001.1351116

I hereby appoint

☒ Practitioners associated with the Customer  
Number:

28075

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

☐ Firm or  
Individual Name

Address

City

Country

Telephone

State

Zip


Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/95)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	December 20, 2005
Name	Todd Messer	Telephone	763-494-2880
Title and Company	Patent Counsel, Scimed Life Systems, Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.